UNITED
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Security Council

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S/1994/441
14 April 1994

ORIGINAL: ENGLISH

LETTER DATED 14 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF INDONESIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In my capacity as Chairman of the Coordinating Bureau of the Movement of Non-Aligned Countries, I have the honour to submit herewith a letter dated 7 April 1994 from His Excellency President Soeharto of the Republic of Indonesia, Chairman of the Movement of Non-Aligned Countries, addressed to you, regarding the nuclear issue involving the Democratic People's Republic of Korea.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Nugroho WISNUMURTI
Permanent Representative

Annex

Letter dated 7 April 1994 from the President of Indonesia, Chairman of the Movement of Non-Aligned Countries, to the President of the Security Council

As you are aware, the developments regarding the nuclear issue involving the Democratic People's Republic of Korea have of late taken a turn that could have adverse consequences for peace and stability in the region, particularly in the Korean peninsula.

Indonesia, as Chairman of the Movement of Non-Aligned Countries, has followed the situation very closely, considering that the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held in Jakarta in September 1992, declared explicit support for the agreement on reconciliation, non-aggression, cooperation and exchanges between the north and the south of 19 February 1992, as well as the joint declaration for the denuclearization of the Korean peninsula.

In a subsequent development, when the Government of the Democratic People's Republic of Korea refused to meet the demand of the International Atomic Energy Agency (IAEA) to conduct a special inspection of suspected nuclear waste sites on the premise that those sites are conventional facilities and expressed its concern on the alleged existence of a threat arising from the United States of America-Republic of Korea military exercise (Team Spirit), the Foreign Minister of the Democratic People's Republic of Korea communicated his Government's anxiety through two letters to the Chairman of the Movement of Non-Aligned Countries. In these two letters, the Democratic People's Republic of Korea requested Indonesia's support for its position and sought assistance in solving the problem.

In response to these letters and also after considering that possible developments could lead to a situation contrary to the expectation of all parties, we conveyed to the Democratic People's Republic of Korea our considered view that it was crucial for the cause of peace in the region that it resolve the issue of nuclear inspection with IAEA and that the Democratic People's Republic of Korea's withdrawal from the non-proliferation Treaty would only intensify suspicions of its nuclear intentions. I also decided to collect as much factual information and data as possible concerning the nuclear issue of the Democratic People's Republic of Korea and for that purpose I dispatched a Special Envoy of the Chairman of the Movement of Non-Aligned Countries to Pyongyang and subsequently to Seoul, Tokyo, Beijing and Vienna. The sole objective of the Chairman of the Movement of Non-Aligned Countries in this exercise was simply to be helpful in creating an atmosphere among the parties directly involved that could be conducive to the finding of a peaceful resolution of the highly sensitive nuclear issue, and not in any way to interfere in its substantive aspects.

In the context of these efforts, on 4 April 1994, in Jakarta, I received Mr. Kim Chang Gyu, Vice Minister for Foreign Affairs of the Democratic People's Republic of Korea, as Special Envoy of His Excellency President Kim Il Sung. In

the course of our talks, the Special Envoy elaborated on the various positions of the Government of the Democratic People's Republic of Korea regarding the said nuclear issue. The Special Envoy of President Kim Il Sung firmly stated that the Government of the Democratic People's Republic of Korea was willing to resume the IAEA inspection of its nuclear facilities. He emphasized, however, that the resumption of the inspections should be held simultaneously with the announcement of the postponement of the United States-Republic of Korea military exercise (Team Spirit) as well as the postponement of the deployment of the Patriot missiles in the Republic of Korea and the reopening of the third round of talks between the Democratic People's Republic of Korea and the United States. He also stated that the Government of the Democratic People's Republic of Korea was prepared to resume the inter-Korean talks regarding the exchange of special envoys.

I have in all candour conveyed to the Special Envoy that, against the background of the recent heightened tension among the parties directly involved, a comprehensive and thorough implementation of inspections by IAEA would appear to be the only way out to resolve this nuclear issue peacefully. A peaceful resolution of this issue is in line with the objectives of non-proliferation of the Movement of Non-Aligned Countries. It is our considered view also that an amicable settlement could contribute to the establishment of stability in the Korean peninsula as well as in the countries of the region, which would allow the countries concerned to engage themselves in their respective development efforts aimed at enhancing the welfare of the people, a noble objective vigorously pursued by the Movement of Non-Aligned Countries, especially after the conclusion of the cold-war era. In our assessment during the talks, the Democratic People's Republic of Korea has deemed the simultaneous commencement of all those steps as important and necessary in order to avoid any impressions that, by its acceptance of IAEA inspection, it has capitulated to what in its perception constituted unreasonable demands by IAEA, the United States and others.

Concerning the issue of the reunification of the two Koreas, the Special Envoy also conveyed the Democratic People's Republic of Korea's willingness to continue peaceful efforts to achieve this objective by way of establishing a confederation of the two Koreas consisting of one country and one nation with two Governments and two political systems.

I sincerely hope that sharing this information with you may be helpful in your efforts to seek a peaceful and mutually satisfactory resolution of the grave situation as a consequence of the nuclear issue on the Korean peninsula.

SOEHARTO
President of the Republic
of Indonesia
Chairman of the Movement of
Non-Aligned Countries

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 170
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Forty-ninth year

Letter dated 13 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Greece to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a statement of the European Union on Rwanda and Burundi.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the forty-eighth session of the General Assembly, under agenda item 170, and of the Security Council.

(Signed) Adamantios Th. VASSILAKIS
Chargé d'affaires a.i.
Deputy Permanent Representative

ANNEX

[Original: English and French]

Communiqué on Rwanda and Burundi, issued on 12 April 1994 on behalf of the European Union by its Presidency

The European Union is deeply concerned to learn of the tragedy which has led to the death in Kigali of the Heads of State of Rwanda and Burundi together with members of their entourage. It wants an international commission of inquiry to investigate fully the causes of the destruction of the presidential aircraft and urges all Rwandese authorities to safeguard the achievements of the Arusha agreements.

The European Union is also deeply saddened by the death of a number of Belgian citizens in Rwanda, both civilian and military. It strongly condemns these appalling assassinations and hopes that justice will be done as quickly as possible.

The European Union appeals in the strongest terms for the lives of Rwandese and foreign nationals to be protected as they work together within Rwanda to safeguard its internal peace and its prosperity.

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LETTER DATED 14 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith a statement issued by the Ministry of Foreign Affairs of the Russian Federation on 11 April 1994 concerning events in the Gorazde region.

I should be grateful if you would have this letter and its annex circulated as a Security Council document.

(Signed) Y. M. VORONTSOV

Annex

Statement issued by the Ministry of Foreign Affairs of the Russian Federation on 11 April 1994

According to information now available to the Ministry of Foreign Affairs of the Russian Federation, on the evening of 10 April, NATO aircraft monitoring, in accordance with United Nations Security Council decisions, the no-fly zone in Bosnia and Herzegovina carried out bombing raids against Bosnian Serb artillery positions from which shells were being fired at Gorazde - where in addition to the inhabitants, there are United Nations and International Red Cross personnel. The representative of the Russian Federation to the United Nations was informed that the Special Representative of the Secretary-General in the former Yugoslavia, Mr. Akashi, agreed with Mr. Boutros-Ghali that air power could be used to protect United Nations personnel in response to shelling of the safe areas, including Gorazde, as provided for in Security Council resolutions.

Violations of these resolutions are not to be tolerated. Nor should one tolerate the acts of provocation to which the Muslim side has resorted, as repeatedly documented by United Nations representatives. The Security Council called for an end to acts of provocation by either side in its statement of 6 April 1994.

Unfortunately, the Russian Federation was informed of the decision to deploy the aircraft after the fact. We look forward to a full report from the United Nations leadership on the incident.

As a spontaneous and active partner in the search for a Bosnian settlement, the Russian Federation is against any escalation of this conflict and calls for greater efforts by the world community to show all sides the road to peace.

This was discussed this morning in a telephone conversation between Mr. Yeltsin and Mr. Clinton. It is also a goal being pursued by Mr. Churkin, the Russian President's Special Representative, who is now visiting the region.

Certain urgent measures should be taken in the Gorazde region: a United Nations contingent should be deployed; Serbian units should be moved from their present positions; this safe area should be demilitarized, and that should include the disarming of Muslim units active in the area. As we see it, the task of the Security Council is to make an active contribution to the attainment of those goals.

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14 April 1994

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 2 January 1994, eight Iraqi vehicles were seen passing through the geographic coordinates of QA044920 on the map of Meimeh River in no man's land, south of Height 75, border pillar 24 and the geographic coordinates of QA3350044800 on the map of Meimeh River in no man's land, south of border pillar 26/5 and geographic coordinates of PB3540043600 on the map of Koohe Toonel in no man's land, south of border pillar 25/11.

2. On 3 January 1994, between 0915 and 1215 hours, four Iraqi vehicles were seen passing through the geographic coordinates of QA3790059000 on the map of Yebis in no man's land, west of border pillar 22/10.

3. On 4 January 1994, at 0820 hours, three Iraqi military personnel were seen digging a canal at the geographic coordinates of NC856142 on the map of Halaleh, west of border pillar 35/4 and north of border pillar 35/2 at Meimak Heights.

4. On 5 January 1994, at 1745 hours, an ocean liner, the Kaiping, sailing under the Chinese flag, entered the operation zone of Khorramshahr Port and then left for the sea.

5. On 7 January 1994, at 0830 hours, five Iraqi military personnel dressed in local costumes were seen at the geographic coordinates of ND587248 on the map of Ghasr-e-Shirin in no man's land, north of the border sentry post of Ghal'eh Sefid in the Islamic Republic of Iran, west of Alibabar in Iraq. They were gathering supplies such as barbed wire and other metals.

6. On 8 January 1994, a number of antirevolutionary elements crossed the border and entered Iranian territory. They barricaded the road at the geographic coordinates of NE9624 on the map of Ney and extorted money from drivers of vehicles passing through. After receiving the money, they left the area and returned to Iraq.

7. On 8 January 1994, at 1100 hours, eight Iraqi military personnel were seen in military training and changing positions at the geographic coordinates of NC593330 on the map of Kani Sheikh in no man's land, north-west of border pillars 40 and 40A.

8. On 8 January 1994, at 1245 hours, nine fully equipped Iraqi military personnel were seen scouting at the geographic coordinates of PA915984 on the map of Koohe Gotbeh, west of border pillar 24/8 and south-west of border pillars 24/12 and 24/13.

9. On 9 January 1994, at 1045 hours, two Iraqi loaders were seen digging the ground at the geographic coordinates of PB333444 on the map of Koohe Toonel in no man's land, south of border pillar 26/6.

10. On 9 January 1994, at 1230 hours, 10 Iraqi military personnel entered no man's land east of Chalai, west of the border river of Koneh Kabood, at the geographic coordinates of NC436655 on the map of Naftshahr.

11. On 10 January 1994, at 1030 hours, eight Iraqi military personnel in three vehicles inspected Manzarieh sentry post at the geographic coordinates of ND426048 on the map of Khosravi in no man's land, west of border pillar 53/2. They left the area at 1100 hours on the same day.

12. On 10 January 1994, at 1120 hours, two Iraqi loaders were seen digging a canal at the geographic coordinates of PB333444 on the map of Koohe Toonel in no man's land, south of border pillar 26/6.

13. On 11 January 1994, at 1500 hours, three Iraqi military personnel from Doraji sentry post were seen building embankments at the geographic coordinates of PB106724 on the map of Mehran in no man's land, south of Zalloab Mount and border pillar 33.

14. On 13 January 1994, at 1300 hours, four Iraqi vehicles carrying 30 passengers were seen passing through the geographic coordinates of ND3912 on the map of Khosravi, west of border pillar 56/1.

15. On 13 January 1994, at 1315 hours, Iraqi forces fired a mortar shell towards the border area. The shell hit the area at the geographic coordinates of ND4270005750 on the map of Khosravi in no man's land, 200 metres from the border, north of border pillar 35/2.

16. On 14 January 1994, at 1310 hours, 25 Iraqi military personnel in a vehicle left the area at the geographic coordinates of ND374069 on the map of Khosravi and got off the vehicle at the geographic coordinates of ND390127 on the map of Khosravi, west of border pillar 56/1.

17. On 14 January 1994, at 1520 hours, an Iraqi tractor trailer carrying five boxes of ammunition left the area at the geographic coordinates of NC507364 on the map of Sumar and stopped at the geographic coordinates of NC578385 of Sumar in no man's land at Koomasang Mount, south-west of border pillar 40/5. The driver unloaded the boxes and returned to his original location.

18. On 14 January 1994, at 1530 hours, 10 Iraqi military personnel were seen collecting unidentified objects at the geographic coordinates of ND417037 on the map of Khosravi, west of border pillar 53.

19. On 15 January 1994, at 0830 hours, an Iraqi minibus carrying 15 passengers departed from the geographic coordinates of ND582296 on the map of Ghasr-e-Shirin. The passengers left the vehicle at the geographic coordinates of ND575245 of Ghasr-e-Shirin in no man's land, north-west of the Iranian border sentry post of Ghal'eh Sefid and the Iraqi border sentry post of Tiarooq.

20. On 15 January 1994, at 0900 hours, an Iraqi boat entered the Khorramshahr operation zone from the Port of Basra. The boat then headed for the sea.

21. On 15 January 1994, at 1445 hours, an Iraqi boat entered Arvand Rud from the sea and, after passing through the Khorramshahr operation zone, headed for the port of Basra.

22. On 17 January 1994, at 1200 hours, 11 Iraqi military personnel were seen building and repairing trenches at the geographic coordinates of ND337118 on the map of Khosravi, west of Darbandjooq in the Islamic Republic of Iran and border pillar 56.

23. On 17 January 1994, at 1211 hours, an Iraqi loader was seen digging the ground at the geographic coordinates of PB333444 on the map of Koohe Toonel in no man's land, south of border pillars 26/5 and 26/6.

24. On 17 January 1994, at 1710 hours, Iraqi forces fired a number of bullets from the geographic coordinates of NC832193 of Halaleh in no man's land, north-west of border pillar 35/8 and Meimak Heights in Iraq.

25. On 18 January 1994, at 1130 hours, eight Iraqi soldiers were seen patrolling the area at the geographic coordinates of NC5294 of Kharrateha, west of border pillar 46/14 at Zein-al-Kosh (Zein-al-Ghos) Heights.

26. On 18 January 1994, a group of four antirevolutionary elements left the township of Parvin at the geographic coordinates of ND779658 of Ozgaleh and crossed the border into Iranian territory. They intended to attack Iranian border police. They were intercepted before striking and then returned to Iraq when pursued.

27. On 20 January 1994, at 0120 hours, two Iraqi non-military personnel, one of whom was armed, were seen at the geographic coordinates of NC5050 of Sumar in no man's land, south and west of border pillars 44/3 and 44/4, and Height 402. They intended to enter Iranian territory, but returned to Iraqi territory after they were intercepted and pursued by Iranian forces.

28. On 24 January 1994, at 1000 hours, four Iraqi military personnel were seen digging trenches at the geographic coordinates of NC459992 on the map of Khosravi in no man's land, south of border pillars 51 and 52.

29. On 24 January 1994, at 1530 hours, two Iraqi tankers Al-Khaledeh and Al-Ba'ath, left Basra port and passed through the Khorramshahr operation zone. They then headed for the sea through Arvand Rud.

30. On 25 January 1994, at 1015 hours, Iraqi forces installed a telecommunications antenna at Height 351 at the geographic coordinates of ND400132 on the map of Khosravi in no man's land, north-west of Darbandjoogh Heights, south of border pillar 56/1.

31. On 27 January 1994, at 0845 hours, a freight ship flying the flag of United Arab Emirates, the Nader, entered Arvand Rud from the sea and, after passing through the Khorramshahr operation zone, headed for Basra.

32. On 27 January 1994, at 0845 hours, a ship with the Argentine flag entered Arvand Rud from the sea and, after passing through Khorramshahr port's operation area, sailed towards Basra.

33. On 27 January 1994, at 1300 hours, three Iraqi military commanders entered no man's land at the Manzarieh sentry post in Iraq at the geographic coordinates of ND427050 on the map of Khosravi, west of border pillar 53/2.

34. On 28 January 1994, at 1115 hours, nine Iraqi military personnel entered no man's land, west of border pillar 30/1 and the sentry post of Bahramabad in the Islamic Republic of Iran. They proceeded to observe the surrounding area from the geographic coordinates of NB9765.

35. On 30 January 1994, at 0600 hours, a number of tractors and vehicles were seen passing through no man's land and the internationally recognized border at the geographic coordinates of NE8655065600 on the map of Baneh. They entered Iranian territory and fired at Iranian border police in Siranband. They then returned to Iraqi territory.

36. On 30 January 1994, at 1050 hours, two Iraqi loaders were seen making embankments at the geographic coordinates of PB357424 on the map of Koohe Toonel, south of border pillar 25/11.

37. On 30 January 1994, at 1400 hours, 12 Iraqi military personnel were seen patrolling at the geographic coordinates of NC501512 on the map of Sumar, in no man's land, north of Height 402 and border pillars 44/4 and 44/5.

38. On 31 January 1994, at 1100 hours, 10 Iraqi military personnel were seen digging trenches at the geographic coordinates of PB059705 on the map of Mehran, north of the border sentry post of Mohammad Ghassem in Iraq.

39. On 31 January 1994, at 1610 hours, two Iraqi loaders were seen making embankments at the geographic coordinates of PB364426 on the map of Koohe Toonel, south of border pillar 26/10.

It would be highly appreciated if this letter was circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Permanent Representative

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14 April 1994

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LETTER DATED 14 APRIL 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Council have considered your report of 31 March 1994 on the United Nations Angola Verification Mission (UNAVEM II) (S/1994/374).

The members of the Council commend you, your Special Representative, the three observer States, the Organization of African Unity and neighbouring States for the efforts aimed at the prompt resolution of the Angolan crisis, and express the strong hope that these efforts will be continued.

The members of the Council have reaffirmed the importance they attach to the prompt and successful conclusion of the Lusaka peace talks. They believe that it is essential that the parties approach the remaining issues with realism and the necessary political will, within the framework of the "Acordos de Paz".

Council members are concerned at continuing outbreaks of hostilities in Angola and their impact on the civilian population in terms of loss of life and property. They expressed their deep concern at continued offensive military actions and demand the cessation of all such actions immediately. They condemn any action that threatens the free and unimpeded delivery of humanitarian assistance to all in need in Angola.

The members of the Council have reaffirmed their readiness, depending on the progress achieved towards the full implementation of the "Acordos de Paz" and relevant resolutions of the Security Council, to consider further action in accordance with previous Security Council resolutions.

The members of the Council consider that the Lusaka peace talks are of crucial importance, and are determined to continue to monitor them closely. In that regard, they have asked me to recall the importance they attach to receiving timely briefings on the state of the Lusaka talks and on the situation in Angola.

(Signed) Colin KEATING
President of the Security Council

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15 April 1994
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LETTER DATED 15 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In view of the Security Council's deliberations on the situation in Rwanda, I have the honour to transmit to you, herewith, a letter dated 15 April 1994 from Mr. Willy Claes, Deputy Prime Minister and Minister for Foreign Affairs of Belgium addressed to you.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Paul NOTERDAEME
Permanent Representative of
Belgium to the United Nations

Annex

Letter dated 15 April 1994 from the Deputy Prime Minister and Minister for Foreign Affairs of Belgium addressed to the President of the Security Council

In his letter of 13 April last (S/1994/430), the Permanent Representative of Belgium to the United Nations informed you of the facts and political elements which have prompted the Belgian Government to recommend to the Security Council that the troops of the United Nations Assistance Mission for Rwanda (UNAMIR) be withdrawn, since its mission has become pointless. That recommendation is based on an intimate knowledge of the political and military conditions in the field. I should therefore be grateful to you if the Council could take into consideration the objective nature of the elements which have prompted the Belgian Government to make its recommendation.

All the information at our disposal reinforces our fear that UNAMIR as a whole may be exposed to very serious risks and be powerless in the face of the worsening situation. That is why my Government again recommends that the UNAMIR mission be suspended.

It seems to us futile to hope that a lasting cease-fire will be established in the days to come. The extent of the massacres which UNAMIR has had to witness, without being able to do anything, and the current military imbalance convinces that hostilities will continue, particularly since one of the parties appears to be determined to seize strategic points such as the airport where UNAMIR is currently regrouping. Given the circumstances, the proposal that we should wait five days before choosing one of the three options in question would, in our view, increase the risks to an unacceptable degree.

I take note of the fact that each of the three options proposed to the Council involves the departure of the Belgian contingent. Indeed, as we informed you, I confirm to you that the Belgian Government has decided that the Belgian battalion in UNAMIR will be withdrawn in any event without delay. Aside from the reasons I have just mentioned, Belgian nationals have been and are, as you know, the target of special threats and several of them, including 10 of our soldiers, have lost their lives, making continuation of the Belgian presence impossible.

Enclosed please find a copy of the letter which I sent to the Secretary-General.

(Signed) Willy CLAES

Enclosure

Letter dated 15 April 1994 from the Deputy Prime Minister and Minister for Foreign Affairs of Belgium addressed to the Secretary-General

At the informal meeting of the Security Council on 14 April 1994 your representative presented three options for altering the deployment of troops of the United Nations Assistance Mission for Rwanda in light of the dramatic developments in the situation in Rwanda and the breakdown of the peace process in that country. I have stated to you directly, on several occasions, the facts and political elements which have prompted the Belgian Government to recommend

- All the information at our disposal reinforces our fear that UNAMIR as a whole may be exposed to very serious risks and be powerless in the face of the worsening situation. That is why my Government again recommends that the UNAMIR mission be suspended.

- It seems to us futile to hope that a lasting cease-fire will be established in the days to come. The extent of the massacres which UNAMIR has had to witness, without being able to do anything, and the current military imbalance convinces that hostilities will continue, particularly since one of the parties appears to be determined to seize strategic points such as the airport where UNAMIR is currently regrouping. Given the circumstances, the proposal that we should wait five days before choosing one of the three options in question would, in our view, increase the risks to an unacceptable degree.

I note that each of the three options proposed to the Council involves the departure of the Belgian contingent. As we informed the President of the Security Council on 13 April 1994, I confirm to you that the Belgian Government has decided that the Belgian battalion in UNAMIR will be withdrawn in any event without delay. Aside from the reasons I have just mentioned, Belgian nationals have been and are, as you know, the target of special threats and several of them, including 10 of our soldiers, have lost their lives, making continuation of the Belgian presence impossible.

I should be grateful if you would instruct the Secretariat and the Commander of UNAMIR to:

(a) release the Belgian contingent immediately;

(b) open discussions immediately regarding the equipment that we would provide to a UNAMIR detachment, should the Security Council decide to maintain one. It goes without saying that we will make every effort to see to it that the foregoing decisions are executed in close coordination with the UNAMIR command.

I am sending copies of this letter to the President and the members of the Security Council and to the troop-contributing countries.

(Signed) Willy CLAES

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NOTE VERBALE DATED 30 MARCH 1994 FROM THE PERMANENT REPRESENTATIVE OF VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Venezuela to the United Nations presents his compliments to the Secretary-General and has the honour to report, in accordance with paragraph 13 of Security Council resolution 883 (1993) on additional sanctions against Libya, that the Government of Venezuela has informed all the relevant national agencies of the scope of the sanctions, and has been taking all necessary action to ensure full compliance with the provisions of the aforementioned resolution.

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 40
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY
AND DEVELOPMENT

SECURITY COUNCIL
Forty-ninth year

Letter dated 8 April 1994 from the Secretary-General to the President of the General Assembly and to the President of the Security Council

I have the honour to refer to my letter dated 17 January 1994 (A/49/61-S/1994/53), in which I informed the General Assembly of the signing on 10 January 1994 of a Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca. In that document the parties agreed on the modalities for resuming their negotiations, suspended since May 1993, and asked me to appoint a representative to serve as Moderator of the negotiations. I have since appointed to that post Mr. Jean Arnault, who had been participating in the peace talks as the United Nations observer since June 1992.

I am pleased to inform you that the first round of negotiations held since the adoption of the Framework Agreement was successfully concluded on 29 March with the signing, at Mexico City, of a Comprehensive Agreement on Human Rights, an Agreement on a Timetable for the Negotiation of a Firm and Lasting Peace in Guatemala and a joint statement of the two parties. Copies of these documents are attached.

The adoption of the Comprehensive Agreement on Human Rights, which had been under negotiation for more than two years, and of the timetable, which will serve as a guide for further negotiations, represents a milestone in the Guatemalan peace process and is encouraging evidence of the parties' commitment to reaching an early settlement through a comprehensive negotiating process after 30 years of armed confrontation. I have written to President de León Carpio and to the leadership of the Unidad Revolucionaria

Nacional Guatemalteca to express my satisfaction and to congratulate them on this remarkable achievement.

In the Comprehensive Agreement on Human Rights, the parties reiterated their decision in the Framework Agreement to request the United Nations to verify the implementation of all agreements reached between them. In this context, the parties are now requesting that the United Nations establish, at the earliest opportunity, a mission to verify implementation of the human rights agreement, without waiting for the signing of the Agreement for a Firm and Lasting Peace, which will conclude the negotiating process at the end of this year.

As indicated in my letter of 17 January, I believe that the United Nations should respond positively to the parties' request for international verification of the agreements reached between them. In that context, and in order to be able to estimate the resources required for a possible mission to verify the Comprehensive Agreement on Human Rights, I have decided to send a survey mission to Guatemala. 1/ I will present its conclusions, together with my recommendations, as soon as possible.

(Signed) Boutros BOUTROS-GHALI

Notes

1/ In order for the General Assembly to consider this matter, it will be necessary to reopen item 40 of the agenda of the forty-eighth session.

Annex I

Comprehensive Agreement Human Rights

Preamble

Taking into consideration the constitutional provisions in effect in respect of human rights and international treaties, conventions and other instruments on the subject to which Guatemala is a party,

Considering the wish of the Government of Guatemala and of the Unidad Revolucionaria Nacional Guatemalteca that the agreement on human rights and international verification be applied in accordance with the aforesaid constitutional provisions and international treaties,

Bearing in mind the commitment of the Government of Guatemala to respect and promote human rights in accordance with the constitutional mandate,

Considering further that the Unidad Revolucionaria Nacional Guatemalteca undertakes to respect the inherent attributes of the human being and to contribute to the effective enjoyment of human rights,

Recognizing the importance of national institutions and entities for the protection and promotion of human rights and the desirability of strengthening them and building them up,

The Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, hereinafter referred to as "the Parties", hereby agree:

I. GENERAL COMMITMENT REGARDING HUMAN RIGHTS

1. The Government of the Republic of Guatemala reaffirms its adherence to the principles and norms designed to guarantee and protect the full observance of human rights, and its political will to enforce them.

2. The Government of the Republic of Guatemala shall continue to encourage all those measures designed to promote and perfect norms and mechanisms for the protection of human rights.

II. STRENGTHENING INSTITUTIONS FOR THE PROTECTION OF HUMAN RIGHTS

1. The Parties consider that any behaviour that limits, restricts or impairs the functions assigned to the judiciary, the Counsel for Human Rights and the Public Prosecutor's Office in respect of human rights undermines fundamental principles of the rule of law and that, accordingly, those institutions must be supported and strengthened in the exercise of those functions.

2. With regard to the judiciary and the Public Prosecutor's Office, the Government of the Republic of Guatemala reiterates its will to respect their autonomy and to protect the freedom of action of both vis-à-vis pressures of any type and origin, so that they may enjoy fully such guarantees and means as they may require in order to operate efficiently.

3. With regard to the Counsel for Human Rights, the Government of the Republic of Guatemala shall continue to support the latter's work so as to strengthen that institution, backing his actions and promoting such reforms of the enactments as may be needed to enable him to better carry out his functions and responsibilities. The Government of the Republic of Guatemala shall support initiatives designed to improve the technical and material conditions available to the Counsel for Human Rights in carrying out his tasks of investigation, monitoring and follow-up to ensure full enjoyment of human rights in Guatemala.

III. COMMITMENT AGAINST IMPUNITY

1. The Parties agree on the need for firm action against impunity. The Government shall not sponsor the adoption of legislative or any other type of measures designed to prevent the prosecution and punishment of persons responsible for human rights violations.

2. The Government of the Republic of Guatemala shall initiate in the legislature necessary legal amendments to the Penal Code so that enforced or involuntary disappearances and summary or extra-judicial executions may be characterized as crimes of particular gravity and punished as such; likewise, the Government shall foster in the international community, recognition of enforced or involuntary disappearances and of summary or extra-judicial executions as crimes against humanity.

3. No special law or exclusive jurisdiction may be invoked to uphold impunity in respect of human rights violations.

IV. COMMITMENT THAT THERE ARE NO ILLEGAL SECURITY FORCES AND CLANDESTINE MACHINERY; REGULATION OF THE BEARING OF ARMS

1. In order to maintain unlimited respect for human rights, there must be no illegal security forces nor any clandestine security machinery. The Government of Guatemala recognizes that it has an obligation to combat any manifestation thereof.

2. The Government of the Republic of Guatemala reiterates its commitment to continue with the purification and professionalization of the security forces. It also expresses the need to continue with the adoption and implementation of effective measures so as to provide specific regulations governing the possession, bearing and use of firearms by individuals, in accordance with the law.

V. GUARANTEES REGARDING FREEDOM OF ASSOCIATION AND FREEDOM OF MOVEMENT

1. Both Parties agree that the freedoms of association and of movement are internationally and constitutionally recognized human rights which must be exercised in accordance with the law and must be fully enjoyed in Guatemala.

2. In the exercise of his functions, the Counsel for Human Rights shall be responsible for establishing whether members of the volunteer civil defence committees have been compelled to join those committees against their will or whether their human rights have been violated.

3. Upon receiving a complaint the Counsel for Human Rights shall immediately conduct the necessary investigations. For that purpose, after publicly announcing that such committees must be made up of persons who have joined of their own free will, and must observe the law and human rights, he shall conduct consultations in the villages, making sure that, in such case, committee members express their wishes freely and without any pressure.

4. Should it be established that some people have not joined of their own free will or that there have been violations of the legal order, the Counsel shall take whatever decisions he may deem necessary and shall initiate corresponding judicial or administrative action to punish the human rights violations.

5. The Government of Guatemala shall unilaterally declare that it shall not encourage the organization of nor shall it establish further volunteer civil defence committees in any part of the national territory provided that there is no reason for it to do so. For its part, the Unidad Revolucionaria Nacional Guatemalteca sees the unilateral statement as a positive expression of the Government's will to achieve peace and shall contribute to the aims of such declaration.

6. In the event of a complaint, the residents affected shall go to the town mayor who at the same time shall convene a public meeting and shall call the Counsel for Human Rights to verify, by all means at his disposal, whether or not the residents acted of their own free will.

7. Both Parties agree that other aspects of the volunteer civil defence committees shall be dealt with later, in connection with other items on the general agenda.

8. The Parties recognize the work done by the Office of the Counsel for Human Rights with regard to education and information, and request that the latter should include in its work information regarding the content and scope of the present agreement.

VI. MILITARY CONSCRIPTION

1. Conscription for compulsory military service must not be forced, nor should it be cause for a violation of human rights and, therefore, while military service should continue to be a civic duty and right, it must be just and non-discriminatory.

2. To that end, for its part, the Government of the Republic of Guatemala shall continue to adopt and implement the necessary administrative decisions and shall initiate, as soon as possible and in the spirit of this agreement, a new Military Service Act.

VII. SAFEGUARDS AND PROTECTION OF INDIVIDUALS AND ENTITIES WORKING FOR THE PROTECTION OF HUMAN RIGHTS

1. The Parties agree that all acts which may affect the safeguards of those individuals or entities working for the promotion and protection of human rights are to be condemned.

2. Accordingly, the Government of the Republic of Guatemala shall take special measures to protect those persons or entities working in the field of human rights. Furthermore it shall investigate, in a timely and exhaustive manner, any complaint it may receive relating to acts or threats that may be directed at them.

3. The Government of the Republic of Guatemala reiterates the commitment to safeguard and protect effectively the work of individuals and entities engaged in upholding human rights.

VIII. COMPENSATION AND/OR ASSISTANCE TO THE VICTIMS OF HUMAN RIGHTS VIOLATIONS

1. The Parties recognize that it is a humanitarian duty to compensate and/or assist victims of human rights violations. Said compensation and/or assistance shall be effected by means of government measures and programmes of a civilian and socio-economic nature addressed, as a matter of priority, to those whose need is greatest, given their economic and social position.

IX. HUMAN RIGHTS AND INTERNAL ARMED CONFRONTATION

1. Until such time as the firm and lasting peace agreement is signed, both Parties recognize the need to put a stop to suffering of the civilian population and to respect the human rights of those wounded, captured and those who have remained out of combat.

2. These statements by the Parties do not constitute a special agreement, in the terms of article 3 (Common), paragraph 2, second subparagraph of the Geneva Conventions of 1949.

X. INTERNATIONAL VERIFICATION BY THE UNITED NATIONS

1. The Parties reaffirm the decision stated in the Framework Agreement of 10 January 1994 that all the agreements must be accompanied by appropriate national and international verification mechanisms, and that the latter must be the responsibility of the United Nations.

2. In this context the Parties agree to request the Secretary-General of the United Nations to organize a mission for the verification of human rights and of compliance with the commitments of the agreement. The mission will be a component of the overall verification of the firm and lasting peace agreement which the parties undertook to sign within the shortest possible time during the current year.

3. The Parties recognize the importance of the role of the national institutions responsible for enforcing, monitoring and safeguarding human rights, such as the judiciary, the Public Prosecutors Office and the Counsel for Human Rights, and they emphasized the role of the latter, in particular.

4. The Parties agree to ask the Secretary-General of the United Nations that the mission for the verification of the agreement be established with the following in mind:

Functions

5. In verifying human rights, the mission shall carry out the following functions:

(a) Receive, consider and follow-up complaints regarding possible human rights violations;

(b) Establish that the competent national institutions are carrying out the necessary investigations autonomously, effectively and in accordance with the political constitution of the Republic of Guatemala and international norms regarding human rights;

(c) Determine whether or not a violation of human rights has occurred on the basis of whatever information it may obtain in the exercise of the powers referred to in paragraph 10, subparagraphs (a), (b), (c) and (d), taking into consideration any investigations that the competent constitutional institutions may carry out.

6. In verifying the other commitments set forth in the present agreement, the mission shall determine whether it is being fully implemented by the parties.

7. According to the findings of its verification activities, the mission shall make recommendations to the Parties, in particular regarding measures necessary to promote full observance of human rights and faithful implementation of the present agreement as a whole.

8. Bilateral talks shall be instituted between the mission and each one of the Parties so that the latter may make observations regarding the mission's

recommendations and so as to facilitate implementation of the above-mentioned measures.

9. The mission shall report regularly to the Secretary-General of the United Nations, who shall report to the competent bodies of that Organization. Copies of these reports shall be transmitted to the Parties.

10. The mission shall be empowered to:

(a) Establish itself and move freely throughout the national territory;

(b) Interview any person or group of persons freely and privately for the proper performance of its functions;

(c) Visit government offices and Unidad Revolucionaria Nacional Guatemalteca encampments freely and without prior notice when this is deemed necessary for the performance of its functions;

(d) Collect whatever information may be relevant for the implementation of its mandate.

11. The mission may disseminate information relating to its functions and activities to the Guatemalan public through the mass media.

12. In verifying the observance of human rights, the mission shall pay particular attention to the rights to life, integrity and security of person, to individual liberty, to due process, to freedom of expression, to freedom of movement, to freedom of association and to political rights.

13. In the performance of its functions the mission shall take into account the situation of the most vulnerable groups of society and to the population directly affected by the armed confrontation (including displaced persons, refugees and returnees).

14. The mission's activities shall relate to events and situations subsequent to the mission's installation.

15. For purposes of implementation of the general commitment regarding human rights (chapter I of the present agreement), the Parties understand human rights as meaning those rights which are recognized in the Guatemalan legal order including international treaties, conventions and other instruments on the subject to which Guatemala is a party.

<u>Cooperation and support for national institutions for the protection of human rights</u>

16. The Parties agree in acknowledging that international verification must contribute to strengthening the permanent constitutional mechanisms and other national governmental and non-governmental entities for the protection of human rights. In order to support them, the verification mission shall be empowered to:

(a) Cooperate with national institutions and entities, as necessary, for the effective protection and promotion of human rights and, in particular sponsor technical cooperation programmes and carry out institution-building activities;

(b) Offer its support to the judiciary and its auxiliary organs, the Public Prosecutor's Office, the Counsel for Human Rights and the Presidential Human Rights Committee in order to contribute to the development and strengthening of national institutions for the protection of human rights and due legal process;

(c) Promote the international technical and financial cooperation required to strengthen the capacity of the Counsel for Human Rights and that of other national institutions and entities to carry out their functions in respect of human rights;

(d) Contribute, in cooperation with the State and the various bodies of society, to encouraging a culture of respect for human rights.

Duration and structure of the mission

17. The mission shall initially be established for one year and its mandate may be renewed.

18. The verification mission shall be headed by a chief, appointed by the Secretary-General of the United Nations, assisted by such international and national officials and experts in various specialities as may be needed to achieve the aims of the mission. The Government of Guatemala and the mission shall sign the relevant headquarters agreement, in accordance with the Convention on the Privileges and Immunities of the United Nations of 1946.

Launching of the international verification mission

19. Taking into consideration its wish to promote human rights in Guatemala, and the fact that the provisions of the present agreement reflect constitutional rights that are already set forth in Guatemala's legal order and considering the role of the international mission to strengthen national institutions and entities for the protection of human rights, in particular the Counsel for Human Rights, the Parties recognize that it is desirable, as an exceptional measure, that verification of the human rights agreement should commence prior to the signing of the firm and lasting peace agreement.

20. Since the verification mission is to begin its functions prior to the end of the armed confrontation, and thus while military operations continue, the mission shall make the necessary security arrangements.

21. The Parties agree immediately to ask the Secretary-General of the United Nations to send a preliminary mission as soon as possible to prepare, in coordination with the Parties, the establishment of the mission at the earliest possible date, and to evaluate the financial and technical needs essential for verification of the agreement on human rights.

Cooperation of the Parties with the verification mission

22. The Parties undertake to provide their broadest support to the mission and, to that end, they pledge to provide it with whatever cooperation it may need in order to carry out its functions; in particular to see to the safety of members of the mission and of persons submitting complaints or giving testimony to the mission.

23. The international verification carried out by the mission shall be carried out within the framework of the provisions of the present agreement. Any situation that may arise regarding the scope of the agreement shall be resolved by means of the talks provided for in paragraph 8 above.

XI. FINAL PROVISIONS

1. The present agreement shall enter into force as from the date of its signature by the Parties.

2. The present agreement shall form part of the firm and lasting peace agreement.

3. A copy of the present agreement shall be transmitted by the Parties to the Secretary-General of the United Nations and to the Counsel for Human Rights.

4. The present agreement shall be widely disseminated throughout Guatemala, in the Spanish and indigenous languages. This task shall be the responsibility of the Counsel for Human Rights and the relevant government offices.

Done at Mexico, D.F. on 29 March 1994.

For the Government of the Republic of Guatemala

(Signed)

Héctor ROSADA GRANADOS

(Signed)

Antonio F. ARENALES FORNO

(Signed)

Mario PERMUTH

(Signed)

Ernesto VITERI ECHEVERRIA

(Signed)

General Carlos Enrique PINEDA CARRANZA

(Signed)

General Julio Arnoldo BALCONI TURCIOS

(Signed)

General José Horacio SOTO SALAN

For the Unidad Revolucionaria Nacional Guatemalteca

General Command

(Signed)

Commander Pablo MONSANTO

(Signed)

Commander Gaspar ILOM

(Signed)

Commander Rolando MORAN

(Signed)

Carlos GONZALES

Political and Diplomatic Commission

(Signed)

Luis Felipe BECKER GUZMAN

(Signed)

Francisco VILLAGRAN MUÑOZ

(Signed)

Miguel Angel SANDOVAL VASQUEZ

(Signed)

Mario Vinicio CASTAÑEDA PAZ

For the United Nations

(Signed)

Marrack GOULDING
Under-Secretary-General

(Signed)

Jean ARNAULT
Moderator

Annex II

Agreement on a timetable for negotiations of a firm and lasting peace in Guatemala

Reiterating the decision stated in the Framework Agreement of 10 January 1994 (A/49/61-S/1994/53, annex), to negotiate on all the items included in the general agenda adopted in Mexico in April 1991,

Reaffirming their commitment to arrive at a firm and lasting peace agreement within the shortest possible time during 1994,

Reaffirming the role which must be played by the Assembly representing society at large in discussion of the substantive issues on the agenda,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, hereafter referred to as "the Parties", hereby agree:

1. To establish the following timetable for discussion of outstanding items on the agenda for the negotiations as a guide for the continuation of their work:

May 1994. negotiations on the item: Resettlement of the population uprooted by the armed confrontation. Signing of agreement.

June 1994. negotiations on the item: Identity and rights of indigenous peoples. Signing of agreement.

July 1994. negotiations on the item: Socio-economic aspects and agrarian situation. Signing of agreement.

August 1994. negotiations on the item: Strengthening of civilian power and role of the army in a democratic society.

September 1994. negotiations on the items: Bases for the reintegration of Unidad Revolucionaria Nacional Guatemalteca in the political life of Guatemala and agreement on a definitive cease-fire. Signing of three preceding agreements.

October 1994. negotiations on the item: Constitutional reforms and electoral regime. Signing of agreement.

November 1994. negotiation on the item: Schedule for the implementation, enforcement and verification of the agreements. Signing of agreement.

December 1994. Signing of a firm and lasting peace agreement and start of demobilization.

2. Depending on requirements for ensuring the success of negotiations, the Parties may agree on adjustments to the present timetable.

3. The moderator, in consultation with the Parties, shall set the specific date of each of the negotiating rounds. Similarly, he shall set, in consultation with the Parties and the President of the Assembly representing society at large, the most appropriate dates for holding special sessions so that the Assembly's recommendations and guidelines on substantive issues may reach the Parties in good time.

4. In accordance with the provisions of the Framework Agreement of 10 January 1994, the Parties shall take these recommendations and guidelines into consideration.

5. As basic documents for the negotiations on the substantive issues, the Parties agreed to use, in their original or updated form, the documents entitled "A just and democratic peace: content of the negotiation" published by Unidad Revolucionaria Nacional Guatemalteca in May 1992, and "Peace is not just the absence of war but the creation of all the conditions which enable man to live without anxiety or fear" published by the Government of Guatemala in June 1992. The Parties shall submit their proposals in good time so that the other Party can consider them and so that they can be discussed at the corresponding rounds.

6. The Parties reiterate the desirability of resorting to all measures that will be conducive to rapprochements and agreements between them, and agree to respond to the initiatives made by the moderator in this respect.

Done at Mexico, D.F., on 29 March 1994

For the Government of the Republic of Guatemala

(Signed)

Héctor ROSADA GRANADOS

(Signed)

Antonio F. ARENALES FORNO

(Signed)

Mario PERMUTH

(Signed)

Ernesto VITERI ECHEVERRIA

(Signed)

General Carlos Enrique PINEDA CARRANZA

(Signed)

General Julio Arnoldo BALCONI TURCIOS

(Signed)

General José Horacio SOTO SALAN

For the Unidad Revolucionaria Nacional Guatemalteca

General Command

(Signed)

Commander Pablo MONSANTO

(Signed)

Commander Gaspar ILOM

(Signed)

Commander Rolando MORAN

(Signed)

Carlos GONZALES

Political and Diplomatic Commission

(Signed)

Luis Felipe BECKER GUZMAN

(Signed)

Francisco VILLAGRAN MUÑOZ

(Signed)

Miguel Angel SANDOVAL VASQUEZ

(Signed)

Mario Vinicio CASTAÑEDA PAZ
Adviser

For the United Nations

(Signed)

Marrack GOULDING
Under-Secretary-General

(Signed)

Jean ARNAULT
Moderator

Annex III

Joint Statement by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca

In order to facilitate the signing of the agreement on human rights, a historic achievement in the Guatemala peace process, the Parties have decided that consideration of the item regarding the Commission to look into human rights violations during the armed confrontation shall be concluded at a special session of the negotiations, without prejudice to existing rapprochements on the subject. For that purpose, the Parties have asked the Moderator to proceed with the consultations that may be necessary and to convene said special session in the month of May 1994.

(Signed)

Héctor ROSADA GRANADOS
Coordinator of the Commission
for Peace of the Government
of Guatemala

(Signed)

Pablo MONSANTO
Coordinator of the Delegation
of the Unidad Revolucionaria
Nacional Guatemalteca

(Signed)

Jean ARNAULT
Moderator

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/49/127
S/1994/449
15 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Item 72 of the preliminary list*
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Forty-ninth year

Letter dated 15 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter from Mr. Radoje Kontić, Prime Minister of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 72 of the preliminary list, and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/49/50.

ANNEX

Letter dated 14 April 1994 from the Prime Minister of Yugoslavia to the Secretary-General

The Government of the Federal Republic of Yugoslavia and the entire Yugoslav public received with dismay and deep disappointment your decision and the act of NATO aerial bombardment of the Serb positions in the region of Gorazde.

Particularly surprising are the manner and procedure which you decided to follow, disregarding the factual state of affairs and the elements contained in relevant Security Council resolutions concerning safe areas, including daily field reports of the United Nations Protection Force (UNPROFOR), which hardly warranted this disproportionate and brutal action. In saying this, we have in mind Security Council resolutions 824 (1993) and 836 (1993), inter alia, authorizing UNPROFOR, in pursuit of its mandate and acting in self-defence and in order to protect the safe areas, to take necessary measures, including force, as a response to non-observance of the safe area by any party, which was not respected in this case. In point of fact, following continuous provocations of the Moslem army from the safe areas, the Serb side in Bosnia and Herzegovina was forced to react, of which UNPROFOR in the field is aware, yet the United Nations went over these important facts silently for the umpteenth time and unilaterally ordered retaliation against Bosnian Serbs. The United Nations called in NATO bombers precisely at the time when the Serb side was ready to conclude an agreement on an unconditional, immediate and lasting cessation of all hostilities in the entire territory of Bosnia and Herzegovina, while the Moslem side puts its condition on it in an attempt to maintain the possibility of continuing war.

Particularly disappointing is the fact that the United Nations, which has the obligation under the United Nations Charter to maintain peace and security, has taken a step which alters the very essence of the peace operation and transforms the peace-keeping mission into war operations in favour of one of the belligerent parties.

All this arouses serious concern since a negative development of the situation was initiated at a time when peace was within our grasp, while the responsibility for it rests with all those who participated in the adoption of this unuseful and harmful decision. By this decision the United Nations has abandoned neutrality in dealing with the crisis in Bosnia and Herzegovina, which constitutes a dangerous precedent for United Nations acts in peace operations all over the world.

For all these reasons, the Government of the Federal Republic of Yugoslavia is forced to lodge a strong protest to you, as Secretary-General of the United Nations, who, as the first man of the world Organization is invested with the responsibility for world peace and security.

United Nations departure from its basic principles aids and abets those factors which have clearly opted for war in Bosnia and Herzegovina and, by

extension, for the escalation of war in the territory of the former Socialist Federal Republic of Yugoslavia with unforeseeable consequences for the broader region of the Balkans. United Nations behaviour as a party to the conflict and adoption of an extremely biased position towards the conflict in Bosnia and Herzegovina, as well as towards the Yugoslav crisis in general, reassures these forces in their conviction that they may go even further in their warmongering since they have the United Nations on their side.

The Government of the Federal Republic of Yugoslavia wishes to reiterate also on this occasion its readiness to continue to cooperate with the United Nations, which is being continuously borne out by its active participation in, and contribution to, the resolution of the Yugoslav crisis, despite the extremely partial attitude of some influential members of the world Organization and the said precedents, which cannot create the confidence that is the basis of normal cooperation.

It is believed that the concern of the Government of the Federal Republic of Yugoslavia, its protest and criticism will be understood as a sincere desire to avoid a further deterioration of the situation and possible tragic consequences and that you will pledge your best efforts that we all find a speedy, just solution, acceptable to all involved parties, for the cessation of war in former Bosnia and Herzegovina.

(Signed) Radoje KONTIĆ

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Security Council

Distr.
GENERAL

S/1994/450
15 April 1994

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1994 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The situation in the "safe area" of Gorazde has once again deteriorated, despite the very serious statements of the Security Council reaffirming its insistence that all of its relevant resolutions, 824 (1993) and 836 (1993) in particular, be respected. Serbian forces have refused to respond to the call, addressed to "all the parties, and in particular the Bosnian Serb party", to allow UNPROFOR unimpeded freedom of movement, and to refrain from any further actions which could threaten the safety of UNPROFOR personnel (S/PRST/1994/19). They have not released their hostages - detained UNPROFOR personnel - but in fact have taken new hostages. Finally, they have reintensified their attack on the safe area of Gorazde, causing new high civilian casualties.

According to information from our sources, which we expect to be confirmed by United Nations military observers on the ground, Serbian forces have captured Gradina, a hill that dominates the whole area of Gorazde and enables a clear firing position into the city. One other important military position, Trebisko brdo, is expected to fall as well. These forces have used their newly captured positions as well as those that they were called to withdraw from previously, to fire directly into Gorazde and civilian targets with impunity.

Before these latest military activities, the confirmed civilian death toll of the Serbian advances has been at least 208 killed and more than 800 others were wounded. We cannot as yet ascertain today's casualties.

According to other reliable sources, it is reported that forces from the so-called Federal Republic of Yugoslavia (Serbia and Montenegro) are engaged in this offensive. These reports state that since 26 March, large Serbian-Montenegrin military formations have been moving and continue to move, along with military equipment, towards the Republic of Bosnia and Herzegovina, en route to Gorazde. They have crossed the Sanjak cities of Pljevlje and Priboj on the Bosnian border. On 26 and 27 March alone, 60 buses, crowded with armed Serbian-Montenegrin soldiers, 70 lorries transporting weaponry, and 17 tanks following this formation, were observed moving through the village of Gradac in the municipality of Pljevlje. At the same time, in the village of Uvac in the municipality of Priboj, 22 tanks coming from Uzice (Serbia) were observed, and

in the villages of Sjeverja and Javorje, large formations of infantry forces were reported. Mass mobilization of Serbs and Montenegrins in Sanjak is under way, in order to conduct the offensive against Gorazde.

We request the Council to urgently consider the latest developments in and around Gorazde in light of the above reports, and to respond as to why, despite its clear mandate in relevant resolutions, it has succumbed to the violations of its provisions and, in so doing, has in effect given the go-ahead to Serbian forces to further defy the resolve of the international community and its resolutions and appeals.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Ivan Z. MISIC
Deputy Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/1994/451
15 April 1994

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1994 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached letter from Mr. Ejup Ganic, Member of the Presidency of the Republic of Bosnia and Herzegovina and Vice President, addressed to Your Excellency.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Ivan Z. MISIC
Deputy Permanent Representative

Annex

Letter dated 15 April 1994 from a Member of the Presidency of the Republic of Bosnia and Herzegovina and Vice President, addressed to the President of the Security Council

The situation in the "safe area" of Gorazde has rapidly deteriorated in the past several hours. The city of Gorazde is on the verge of falling to advancing Serbian forces. We have been unable to ascertain the number of civilian casualties, but it is feared that the death toll is extremely high.

In the name of the Presidency of the Republic of Bosnia and Herzegovina, we request a formal emergency meeting of the Security Council with the right of debate if the necessary measures, including those as mandated by resolutions 824 (1993) and 836 (1993), have not been undertaken by 12 noon Central European Time, Saturday, 16 April 1994, to stop the Serbian advance on Gorazde and to initiate the withdrawal of Serbian forces to the 30 March confrontation lines which defined the "safe area" of Gorazde.

(Signed) Ejup GANIC
Member of the Presidency of the
Republic of Bosnia and Herzegovina
and Vice President

UNITED
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General Assembly
Security Council

Distr.
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A/49/128
S/1994/452
15 April 1994
ENGLISH
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GENERAL ASSEMBLY
Forty-ninth session
Item 38 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-ninth year

Letter dated 15 April 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

In my capacity as Chairman of the Arab Group for the month of April 1994, I have the honour to transmit herewith resolution 5368 of the Council of the League of Arab States, entitled "The occupied Syrian Arab Golan" and adopted on 27 March 1994.

I request you to have this letter and its annex circulated as an official document of the General Assembly, under item 38 of the preliminary list, and of the Security Council.

(Signed) Chawki CHOUERI
Chargé d'affaires a.i.
of the Permanent Mission of
Lebanon to the United Nations
Chairman of the Arab Group

* A/49/50.

Annex

The occupied Syrian Arab Golan

The Council of the League,

Having taken cognizance of the note by the General Secretariat and the recommendation by the Political Committee,

Following with increased apprehension and concern the continuation of the Israeli occupation of the Syrian Arab Golan and Israel's persistence in refusing to implement the resolutions of international legitimacy and failure to submit to the will of the international community, which regards Israel's occupation and its decision to annex the Syrian Arab Golan as null and void and without any legal effect,

Having studied the situation in the occupied Syrian Arab Golan in the light of the practices of the Israeli occupation authorities that conflict with the United Nations Charter, international agreements, international legitimacy and United Nations resolutions, as well as developments in the peace process,

Having recalled its previous resolutions and also the international resolutions affirming the inadmissibility of the acquisition of territory by force,

Decides

1. To reaffirm its resolution 4126 of 13 January 1982 and its subsequent resolutions, the most recent being resolution 5323 of 21 September 1993, which expresses rejection of all the measures that the Israeli authorities have taken and are taking with a view to changing the legal, natural and demographic situation of the occupied Syrian Arab Golan, regarding the Israeli measures designed to assert Israeli rule over it as illegal and null and void and constituting a violation of international agreements and the Charter and resolutions of the United Nations, in particular Security Council resolution 497 (1981) and General Assembly resolution 48/59 B of 14 December 1993, which affirms that Israel's decision of 14 December 1981 to annex the occupied Syrian Arab Golan is illegal and null and void and regards the Knesset's decision of 11 November 1991 as null and void and without any legal effect;

2. To call upon the Security Council to assume its responsibilities for compelling Israel to implement the resolutions of international legitimacy that call for complete withdrawal from the occupied Syrian Arab Golan and support for the Syrian Government in its efforts to put these resolutions into effect;

3. To support the steadfastness of the Syrian Arab citizens and to assist them in withstanding Israeli occupation and its repressive practices and in adhering to their land and their Syrian Arab identity; and to affirm the application of the fourth Geneva Convention of 1949 to the citizens of the occupied Syrian Arab Golan;

4. To urge the international community, and the United States of America in particular, to prevail upon Israel to implement the resolutions of the United Nations and other international organizations relating to complete withdrawal from the Golan and the occupied Arab territories;

5. That the Arab States should affirm their resolute support and backing for the just demand of Syria and its right to recover the whole of the occupied Syrian Arab Golan on the basis of the peace process and the resolutions of international legitimacy.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/453
15 April 1994

ORIGINAL: ENGLISH

LETTER DATED 15 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have received alarming reports that Gorazde, which is a United Nations safe area according to Security Council resolutions 824 (1993) and 836 (1993), is about to fall to the hands of the Serbian aggressors.

This is a further manifestation of defiance by the Serbs of all relevant Security Council resolutions and a new challenge to UNPROFOR.

We expect the Security Council to act immediately to ensure the full implementation of its resolution 836 (1993) and reverse the latest Serbian offensive in Gorazde.

I am under instructions by my Government to call for an emergency meeting of the Security Council to respond to the Serbian aggression in Gorazde which is part of a consistent pattern of ethnic cleansing and other crimes against humanity committed by the Serbs in Bosnia and Herzegovina over the last two years.

(Signed) İnal BATU
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1994/454
16 April 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the violations of the cease-fire provisions and of the terms governing the area of separation between Iraq and Iran that were committed by the Iranian side during the period from 3 to 31 March 1994.

3 March 1994

At 0730 hours, a patrol boat flying the Iranian flag was observed coming from the sea in the direction of Abadan harbour with three military personnel on board.

4 March 1994

At 1200 hours, an ambulance carrying a group of some 20 to 30 persons from the Iranian side was seen heading towards the Iranian post at coordinates 605634 (1:100,000 map of Hawr al-Hawizah). They proceeded to dig positions in the above location, inside the area of separation.

5 March 1994

The Iranian side proceeded to erect a radio aerial at coordinates 003042 (1:100,000 map of Saybah), inside the area of separation.

6 March 1994

At 0950 hours, the Iranian side proceeded to erect a new aerial at coordinates 003042 (1:100,000 map of Saybah), inside the area of separation.

8 March 1994

At 0900 hours, an Iranian patrol boat was observed putting to sea from Abadan harbour with three civilians on board. At 1000 hours, it returned to its point of departure carrying the same persons.

8 March 1994

At 0940 hours, an Iranian patrol boat was observed putting to sea from Abadan harbour with four persons on board.

9 March 1994

At 1000 hours, the Iranian side installed a 14.5-millimetre single-barrel machine-gun and its two-man complement at the Iranian position inside the area of separation at coordinates 909788 (1:100,000 map of Tahiri), opposite the Iraqi armed forces.

9 March 1994

At 1010 hours, an Iranian helicopter overflew the Naft Khaneh station and hovered at low altitude over the pumping station, the wells, the water-storage tank and the office building. At 1015 hours, the helicopter returned to the Iranian rear following the same course in a zigzag fashion.

9 March 1994

At 1030 hours, an Iranian helicopter coming from the Iranian rear was observed at coordinates 004365 (1:100,000 map of Khanaqin) inside the area of separation. It flew at low altitude along the boundary line opposite the Iraqi Faruq post, 2 kilometres from the international boundary line. At 1040 hours, the aircraft returned to the Iranian rear.

11 March 1994

At 1411 hours, Iranian forces proceeded to bombard the Wadi Shawr area 15 kilometres west of the Raniyah district using dozens of short-range rockets. The bombardment caused major damage to a number of Iraqi villages and set fire to nearby forests.

Night of 11 March 1994

The Iranian armed forces bombarded with tube-launchers the villages of Duri, Nuruddin, Gira and Balinah to the south-west of Qal'at Dizah and some 10 to 15 kilometres inside Iraqi territory. The bombardment caused the destruction of a number of dwellings and the displacement of the inhabitants further inside Iraqi territory.

14 March 1994

At 0700 hours, a group of some 10 persons from the Iranian side was seen inside the area of separation carrying out maintenance work on the bunkers at coordinates 503533 (1:100,000 map of Shaykh Faris) opposite the Iraqi Fakkah post.

14 March 1994

At 0730 hours, two groups from the Iranian side of some 30 soldiers each and each accompanied by a white ambulance were seen inside the area of separation digging and searching behind the Iranian Tawus post (1:100,000 map of Hawr al-Hawizah). One of the groups then headed towards the Iranian rear opposite the Iraqi armed forces at the above coordinates and also proceeded to dig and search inside the area of separation.

16 March 1994

At 0730 hours, two groups from the Iranian side of some 30 soldiers each were seen inside the area of separation digging and searching behind the Iranian Tawus post at coordinates 582388 (1:100,000 map of Hawr al-Hawizah). One of the groups then headed towards the Iranian rear opposite the Iraqi armed forces at coordinates 582399 (1:100,000 map of Hawr al-Hawizah) and also proceeded to dig and search inside the area of separation.

17 March 1994

At 0955 hours, an Iranian helicopter was seen coming from the Iranian rear opposite the Iraqi Hammad Shihab post at coordinates 000694 (1:100,000 map of Tib). It then flew inside the area of separation parallel to the boundary. At 1005 hours, it landed inside Iranian territory. It returned to the Iranian rear 50 minutes later.

19 March 1994

At 1000 hours, a group of individuals from the Iranian side proceeded to build an observation post of sandbags roofed with corrugated iron inside the area of separation to the left of the Iranian Jawid Shah post opposite the Iraqi Sumud post at coordinates 488542 (1:100,000 map of Mandali).

23 March 1994

At 1100 hours, a group of some seven persons from the Iranian side was observed inside the area of separation carrying out maintenance work on the bunkers at coordinates 514501 (1:100,000 map of Shaykh Faris).

26 March 1994

At 0900 hours, an Iranian fibreglass patrol boat with two persons wearing civilian clothing on board approached an Iraqi fishing boat at coordinates 058660 (1:100,000 map of Saybah) to the south of Umm al-Rasas Island and proceeded to question the Iraqi fishermen. At 0910 hours, the Iranian boat withdrew in the direction of the Karun River.

27 March 1994

At 1445 hours, individuals from the Iranian side at the three newly manned positions inside the area of separation at coordinates 005740 (1:100,000 map of Mandali) in the area opposite the Kiska slope proceeded to fire a number of

bursts from a single-barrel machine-gun in the direction of the Iraqi armed forces and into the air.

28 March 1994

At 1900 hours, the Iranian side fired four bursts in the direction of the Iraqi armed forces and into the air from a Dimitrov 14.5-millimetre single-barrel machine-gun that had been installed on the same day opposite the Harran post at coordinates 571405 (1:100,000 map of Mandali), inside the area of separation.

29 March 1994

At 0700 hours, two military personnel from the Iranian side were observed inside the area of separation at coordinates 008508 (1:100,000 map of Khazinah) opposite the Jallat post monitoring forward units of the Iraqi armed forces.

Night of 30 March 1994

Iranian boats abducted the Iraqi fishermen Yusuf Abd Ja'far, Mishtaq Yasir Abd and Samir Hamid Zuwayd, residents of the Abu al-Khasib district, while they were fishing in the area of Umm al-Rasas Island opposite the Karun River in the Shatt al-Arab and took them and the boat they were using to the Iranian side.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1994/455
16 April 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the violations of Iraqi national airspace committed by United States aircraft in order to carry out reconnaissance and cause provocation have continued over the period 1 to 10 April 1994.

1 April 1994

(a) Northern region: 3 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Irbil, Dohuk and Zakho.

(b) Southern region: 40 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Qal'at Salih, Samawah, Qurnah, Amarah and Jalibah.

2 April 1994

(a) Northern region: 22 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil and Sinjar.

(b) Southern region: 17 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Qurnah, Nasiriyah, Samawah, Salman, Artawi, Jalibah and Busayyah.

At 1145 hours on 2 April 1994, a hostile two-aircraft formation broke the sound barrier over the Artawi area.

3 April 1994

Southern region: 56 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Jalibah, Busayyah, Artawi, Qurnah, Qal'at Salih and Salman.

At 1632 hours on 3 April 1994, a hostile formation of F-15 aircraft broke the sound barrier over the city of Nasiriyah.

4 April 1994

Southern region: 52 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Qal'at Salih, Qurnah, Samawah, Khidr, Ushbayjah, Salman, Busayyah and Artawi.

5 April 1994

(a) Northern region: 35 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho and Ayn Zalah.

(b) Southern region: 46 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Salman, Qurnah, Artawi, Jalibah, Qal'at Salih and Amarah.

6 April 1994

(a) Northern region: 29 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Zakho, Tall Afar, Dohuk and Amadiyah.

(b) Southern region: 40 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Qurnah, Nasiriyah, Samawah, Busayyah, Jalibah, Ushbayjah, Lasaf, Salman and Chabaish.

At 1840 hours on 6 April 1994, a hostile two-aircraft formation broke the sound barrier over the city of Nasiriyah.

7 April 1994

(a) Northern region: 2 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Zakho and Dohuk.

(b) Southern region: 36 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Samawah, Amarah, Salman, Busayyah and Jalibah.

8 April 1994

(a) Northern region: 15 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Ayn Zalah and Amadiyah.

(b) Southern region: 46 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Jalibah, Artawi, Salman, Qal'at Salih, Ushbayjah and Busayyah.

9 April 1994

Southern region: 39 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Nasiriyah, Samawah, Qurnah, Busayyah, Jalibah, Qal'at Salih and Artawi.

At 1224 hours on 9 April 1994, a United States TR-1 reconnaissance aircraft flying at a speed of 600 kilometres per hour and at an altitude of 20,000 metres violated Iraqi airspace over Hawr al-Hammar, Samawah, Amarah, Qal'at Salih, Nasiriyah and the area to the south of Diwaniyah. It left at 1545 hours in the direction of Saudi airspace.

10 April 1994

(a) Northern region: 17 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Mosul, Irbil, Dohuk, Tall Afar, Amadiyah and Ayn Zalah.

(b) Southern region: 44 sorties flown at speeds of 600 to 900 kilometres per hour and at medium altitudes, centred over Basra, Nasiriyah, Amarah, Samawah, Shatrah, Qurnah, Chabaish, Jalibah, Busayyah and Artawi.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1994/456
17 April 1994

ORIGINAL: ENGLISH

LETTER DATED 17 APRIL 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to present to you the attached letter, dated today, from my Prime Minister to Your Excellency.

May I ask for you kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

Annex

Letter dated 17 April 1994 from the Prime Minister of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

The "safe area" of Gorazde is now under its twentieth day of attack from aggressor forces, using infantry and artillery brought in from Serbia and Montenegro. Aggressor forces have occupied a large area of the "safe area", overrunning and razing 21 suburbs around Gorazde. In the centre of the city, there are 230 slain persons, and roughly another 800 that have been injured. Civilian structures in the centre of the city have been destroyed by the array of weaponry which the Serbian aggressor possesses. The lives of tens of thousands of civilians are threatened by murder and hunger.

The United Nations and its representative authorities in Bosnia and Herzegovina have not employed the mandate or fulfilled the responsibility given to them under Security Council resolutions 824 (1993) and 836 (1993). As such, the population who has been deprived of the right of self-defence, remains exposed. We ask of those that are responsible for these decisions, to address the events that have taken place.

1. We request that the Security Council take the appropriate measures under Chapter VII of the Charter of the United Nations to employ force in halting the Serbian aggression against Gorazde. We emphasize that this is an aggression from Serbia and Montenegro continuing already for two years.

2. We urgently request the establishment of an exclusion zone for Gorazde, to include and go beyond the 30 March "safe area" demarcation line, providing for the withdrawal of aggressor troops and their weaponry.

Excellency, in question are tens of thousands of civilians who, along with the rest of the free world, are awaiting the Security Council to fulfil its obligations.

(Signed) Haris SILAJDZIC
Prime Minister

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GENERAL

A/48/927
S/1994/457
17 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 42
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 17 April 1994 from the Permanent Representative of Bosnia and Herzegovina addressed to the Secretary-General

I have the honour to present to you the attached letter, dated today, from my President to you (see annex).

May I ask for your kind assistance in circulating the present letter and its annex as a document of the forty-eighth session of the General Assembly, under agenda item 42, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

ANNEX

Letter dated 17 April 1994 from the President of Bosnia and Herzegovina addressed to the Secretary-General

I write to you at noon (Central European Time) on 17 April 1994. The news I am receiving from Gorazde reports that the city is in agony.

For the past 20 days, Karadzić's Serbs and units of the Yugoslav army have brutally attacked this city, which has been under siege for 10 months.

For the last 20 days a surreal game has overtaken the situation, one where truth is suppressed and voices appealing for help have been muffled, and efficient enforcement mechanisms have been crippled, and so the protected "safe areas" are the most unprotected places on Earth.

The organization that you are leading proclaimed the free territory of Gorazde a United Nations protected area almost a year ago.

Despite the adoption by the Security Council of resolutions 824 (1993) and 836 (1993), these remain no more than dead letters on paper.

Neither you nor your officials have done anything to employ fully the mandate given under these resolutions to protect the people of Gorazde and United Nations credibility alike.

The result is more obvious than it is tragic.

Mr. Secretary-General, Bosnians hold you responsible for this situation.

These are difficult times, Bosnians are bleeding and there is no time left for diplomatic evasiveness.

If Gorazde falls, I believe that your sense of moral responsibility would lead you to resign from your position of Secretary-General of the United Nations.

That is the minimum that you can do for the suffering people whose two years of pain have been met only by indifference.

(Signed) Alija IZETBEGOVIĆ

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General Assembly
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Distr.
GENERAL

A/49/129
S/1994/458
18 April 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Item 72 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-ninth year

Letter dated 13 April 1994 from the representatives of Cambodia and Viet Nam to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the Joint Communiqué issued on 3 April 1994 between Mr. Vo Van Kiet, Prime Minister of the Socialist Republic of Viet Nam, and Prince Norodom Ranariddh and Samdech Hun Sen, First and Second Prime Ministers of the Kingdom of Cambodia, respectively. The Joint Communiqué was issued during the official visit of the Prime Minister of the Socialist Republic of Viet Nam to the Kingdom of Cambodia on 2 and 3 April 1994.

We should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 72 of the preliminary list, and of the Security Council.

(Signed) H.E. Mr. LE VAN BANG
Ambassador
Acting Permanent Representative
of the Socialist Republic of
Viet Nam to the United Nations

(Signed) H.H. Prince SISOWATH Sirirath
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of the Kingdom
of Cambodia to the United Nations

* A/49/50.

ANNEX

Joint Communiqué issued on 3 April 1994 between the Prime Minister of Viet Nam and the First and Second Prime Ministers of Cambodia

1. At the invitation of Samdech Krom Preah Norodom Ranariddh and Samdech Hun Sen, respectively First and Second Prime Ministers of the Royal Government of Cambodia, Mr. Vo Van Kiet, Prime Minister of the Government of the Socialist Republic of Viet Nam, paid an official and friendly visit to the Kingdom of Cambodia on 2 and 3 April 1994.

2. During his stay in the Kingdom of Cambodia, Mr. Vo Van Kiet and the entourage paid a floral tribute to the Monument of Independence and visited some economic and cultural establishments in Phnom Penh. The delegation was warmly received by the Cambodian people at these places.

He called on Samdech Chea Sim, President of the National Assembly and Head of State ad interim of the Kingdom of Cambodia. Samdech Chea Sim warmly welcomed him to Cambodia and highly appreciated the importance of the visit vis-à-vis the consolidation and strengthening of the traditional relations of friendship and long-standing cooperation and good-neighbourliness between Viet Nam and Cambodia. On this occasion, Mr. Vo Van Kiet conveyed, through Samdech Chea Sim, the best regards and wishes of the Vietnamese leaders to His Majesty Preah Bat Samdech Norodom Sihanouk Varman and Her Majesty Queen Norodom Monineath Sihanouk, for the King's quick recovery and for the good health and happiness of both the King and Queen. Mr. Vo Van Kiet also reconfirmed President Le Duc Anh's invitation to the King and Queen to pay a State visit to the Socialist Republic of Viet Nam at a convenient time. Samdech Chea Sim expressed his thanks to Mr. Le Duc Anh and offered to convey this invitation to the King and Queen.

3. The delegation of the Government of the Socialist Republic of Viet Nam, led by Mr. Vo Van Kiet, had official talks with the delegation of the Royal Government of Cambodia headed by its First and Second Prime Ministers, Samdech Krom Preah Norodom Ranariddh and Samdech Hun Sen. The talks took place in an atmosphere of friendship, good-neighbourly cooperation and mutual understanding.

At the talks, the two sides informed each other of the situation in their respective countries, discussed practical measures to promote the relations of friendship and multi-sided cooperation between the two countries and exchanged views on international and regional issues of mutual concern.

4. The Cambodian side informed the Vietnamese side of the initial achievements recorded by the Royal Government and people of Cambodia under the wise leadership of King Norodom Sihanouk Varman, in their cause of national reconciliation, the maintenance and strengthening of peace and political stability and the process of national rehabilitation, reconstruction and development.

The Cambodian side highly valued the positive contribution made by the Government and people of Viet Nam to the peace process in Cambodia as well as their strict respect and constructive contribution to the implementation of the Paris Peace Agreements on Cambodia of 23 October 1991. The Cambodian side expressed its elation at the important achievements recorded by the Vietnamese people in their cause of renovation and in the furtherance of their foreign policy of independence, sovereignty and openness. The Cambodian side warmly saluted the decision of the President of the United States of America, Bill Clinton, to lift the economic embargo against Viet Nam and saw in it a new positive step paving the way for the normalization of relations between the two countries.

5. The Vietnamese side welcomed the positive developments and fine achievements that the Cambodian people had made in restoring peace, realizing national reconciliation and building their country. The Vietnamese side also welcomed the foreign policy of independence, peace, neutrality, non-alignment and friendship of the Royal Government of Cambodia, as well as its efforts in reintegrating Cambodia into the international and regional community.

The Vietnamese side warmly congratulated His Majesty Preah Bat Samdech Preah Norodom Sihanouk Varman's ascension to the throne as King of Cambodia and highly valued his historic and noble role and tireless efforts in the course of national reconciliation, national unity, restoration of peace and political stability, and the construction of a prosperous country. The Vietnamese side also expressed its sincere gratitude to the King and the people of Cambodia for the good sentiments and precious assistance extended to the people of Viet Nam, and expressed its conviction that under the clear-sighted leadership of King Norodom Sihanouk Varman, the Royal Government and people of Cambodia will succeed in building an independent, peaceful, neutral, non-aligned and prosperous Cambodia.

The Vietnamese side sincerely wishes the Royal Government of Cambodia more success in its noble mission at this most difficult period of its history.

6. The two sides noted with satisfaction the fine development in the relations between the two countries and reaffirmed their determination to maintain and develop these relations of friendship and good-neighbourly cooperation in all fields on the basis of the principles expounded in the Joint Communiqués of 25 January 1992 and 25 August 1993, namely, the respect for each other's independence, sovereignty and territorial integrity, non-interference in each other's internal affairs and equal and mutually beneficial cooperation, thus responding to the desire and the interests of their respective peoples, as well as the interests of peace, stability and cooperation for the development in the region.

7. In this spirit, the agreement on economic and trade cooperation, the agreement on cultural, educational, scientific and technological cooperation, the agreement on the transit of goods and the agreement on the establishment of the Joint Committee on economic, cultural, scientific and technological cooperation between the Government of the Kingdom of Cambodia and the Government of the Socialist Republic of Viet Nam were signed by the Governments of the two countries. The two sides considered these agreements as an important basis for

further expansion of their cooperation in conformity with the interests of both sides.

The two sides agreed to encourage their respective Ministries, branches and concerned agencies to increase their contacts and work out agreements and contracts in concrete areas of cooperation.

At the request of the Cambodian side, the Vietnamese side accepted to assist Cambodia in human resource development.

8. In the spirit of friendship and cooperation of good-neighbourliness, the two sides agreed to settle the outstanding problems in their bilateral relations gradually and properly through negotiations, on the basis of respect for each other's independence, sovereignty, territorial integrity, legitimate interests and mutual benefit and in accordance with international law and practices as well as the laws of their respective countries.

9. The two sides have reached agreement on the establishment of an Expert Working Group to discuss and settle the issue of demarcation relating to the boundaries between the two countries and to discuss necessary measures aimed at maintaining security and stability in the border areas and building a border of lasting peace and friendship between the two countries.

10. The two sides have also reached agreement on the establishment of an Expert Working Group to discuss and settle the issue of Vietnamese nationals in Cambodia on the basis of respect for Cambodian national legislation and international law and practices. The Vietnamese side highly appreciated the statement of the Royal Government of Cambodia that it would continue to pursue King Norodom Sihanouk's policies vis-à-vis the Vietnamese nationals in Cambodia. In this spirit, the Vietnamese nationals are treated like other foreign nationals.

11. The two sides also agreed to further their discussions together with the concerned parties within the framework of the Mekong Committee in order to seek an appropriate formula in settling all issues relating to the right to use the Mekong river resources as well as the protection of the environment in the areas in order to meet the interests of the riverain peoples and States, particularly those in the lower Mekong.

12. The two sides noted with satisfaction the recent positive developments in South-East Asia, the growing trend of peace, stability, and cooperation for the sake of development in the region. The two sides highly welcomed the initiatives and efforts aimed at promoting dialogue, increasing mutual understanding and settling peacefully the differences and disputes among countries in the region. The two sides reaffirmed their desire to continue to broaden the relations of friendship, good-neighbourliness, equal cooperation and mutual benefit with all other countries in the region, thus contributing to building South-East Asia into a zone of peace, stability, friendship and prosperity.

13. The two sides held that the consolidation and strengthening of the relations of traditional friendship and good-neighbourly cooperation between the Socialist Republic of Viet Nam and the Kingdom of Cambodia would constitute a positive contribution to peace, stability, friendship and cooperation in South-East Asia.

14. The Prime Minister of the Socialist Republic of Viet Nam, Mr. Vo Van Kiet, expressed his sincere gratitude for the warm hospitality accorded by the Royal Government and people of Cambodia to the Vietnamese delegation during the visit, which demonstrated vividly the sentiments of long-standing friendship and fraternal solidarity between the two nations and peoples of Viet Nam and Cambodia.

On behalf of the Royal Government of Cambodia

NORODOM RANARIDDH
First Prime Minister

HUN SEN
Second Prime Minister

On behalf of the Government of the Socialist Republic of Viet Nam

VO VAN KIET
Prime Minister